

visions of section eight are complied with; [provided that in the case of mines over two hundred feet in depth, there shall be allowed three years on the condition that during the third year not more than ten men shall be employed in such mine at any one time and provided further, that in cases where the two years shall already have expired, a third year shall be allowed after the taking effect of this Act;] and after the expiration of the period above mentioned should said mines not have the outlets aforesaid, they shall not be operated until made to conform to the provisions of section eight. And provided further, that this act shall not apply to mines where the escape way is lost or destroyed by reason of the drawing of pillars preparatory to the abandonment of the mine; provided that not more than twenty persons shall be employed in said mine at any one time.

Abandoned mines.

Ten men may be employed at all times.

SEC. 2. And provided further, that ten men or less may be lawfully employed in any coal mine without reference to the provisions of this or any other act.

Approved April 17, 1890.

## CHAPTER 47.

### PROTECTION OF LABORERS.

S. F. 372.

AN ACT to protect laborers and miners for labor performed in developing and working in Coal mines, additional to Chapter 100 Acts of the 16th General Assembly and Chapter 179, Acts of the 20th General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

Labor performed in opening and developing mines a lien upon the property.

SECTION 1. Every laborer or miner who shall perform labor in opening and developing any coal mine, including sinking shafts, constructing slopes, or drifts, mining coal and the like, shall have a lien upon all the property of the person, firm or corporation, owning, constructing or operating such mine, used in the construction or operation thereof, including real estate, buildings, engines, cars, mules, scales and all other personal property, for the value of such labor for the full amount thereof, upon the same terms with the same rights and to be secured and enforced as mechanics' liens are secured and enforced.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines, Iowa. Publication.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and the *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 48.

### CLAIMS FOR WAGES.

AN ACT to Protect Employes and Laborers in their Claims for Wages. Sub for H. F. 274.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That hereafter, when the property of any company, corporation, firm or person shall be seized upon by any process of any court of this State; or when their business shall be suspended by the action of creditors or be put into the hands of a receiver or trustee, then in all such cases, the debts owing to laborers or servants, which have accrued by reason of their labor or employment to an amount not exceeding One Hundred dollars to each employe for work or labor performed within ninety days next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts and such laborers or employes shall be preferred creditors, and shall first be paid in full; and if there be not sufficient to pay them in full, then the same shall be paid to them *pro rata* after paying costs. Any such laborer or servant desiring to enforce his or her claim for wages under this Act shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property within ten days after the seizure thereof on any execution or writ of attachment, or within thirty days after the same may have been placed in the hands of any receiver or trustee; and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto (after first paying all costs occasioned by the seizure of such property) out of the proceeds of the sale of the property seized; *Provided* that any person interested may contest any such claim

Debts owing for labor preferred.

To be paid in full.

Statement under oath.

Receiver or trustee to pay in 30 days.